

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

6 \*\*

Application Number

10/017,262

Filing Date

December 14, 2001

First Named Inventor

David L. Adler

Group Art Unit

2878

Examiner Name

not yet known

Attorney Docket Number

11.000700 (P960)

**ENCLOSURES (check all that apply)**

Fee Transmittal Form

Fee Attached

Amendment / Response

After Final

Affidavits/declaration(s)

Extension of Time Request

Express Abandonment Request

Certified Copy of Priority Document(s)

Response to Missing Parts/ Incomplete Application

Response to Missing Parts under 37 CFR 1.52 or 1.53

Assignment Papers  
(for an Application)

Drawing(s)

Licensing-related Papers

Petition

Petition to Convert to a Provisional Application

Power of Attorney, Revocation Change of Correspondence Address

Terminal Disclaimer

Request for Refund

CD, Number of CD(s) \_\_\_\_\_

Remarks

After Allowance Communication to Group

Appeal Communication to Board of Appeals and Interferences

Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

Transmittal Form

Information Disclosure Statement

Other Enclosure(s)  
(please identify below):

Form PTO/SB/08;  
Copies of Listed References:  
( A-I documents);  
Return receipt postcard

\*\* does not include pages for listed references

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm  
or  
Individual name

James K. Okamoto, Reg No. 40,110  
OKAMOTO & BENEDICTO LLP

Signature

Date

September 26, 2002

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: Sept. 26, 2002

Typed or printed name

James K. Okamoto

Signature

Date

September 26, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

RECEIVED  
OCT 3 2002  
TECHNOLOGY CENTER 2800



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

David Adler, et al.

Serial No. 10/017,262

Examiner: not yet known

Filed: December 14, 2001

Art Unit: 2878

Title: PHOTOELECTRON EMISSION  
MICROSCOPE FOR WAFER AND  
RETICLE INSPECTION

Atty. Dkt. No.: 11.000700 (P960)

Commissioner of Patents  
Washington, DC 20231

RECEIVED  
OCT - 3 2002  
TECHNOLOGY CENTER 2800

**INFORMATION DISCLOSURE STATEMENT**

**Under 37 C.F.R. §1.56 and §§1.97-98**

Sir:

Pursuant to the provisions of 37 CFR 1.56 and §§1.97-98, enclosed herewith is form PTO/SB/08 (substitute for form 1449A/PTO) listing references which may be material to the examination of this application, and with respect to which there may be a duty to disclose. The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

A copy of each listed reference is enclosed herewith, unless no such copy is required pursuant to 37 CFR § 1.98(d).

- This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. [SERIAL NUMBER], filed on [FILING DATE], and the references cited therein are hereby listed but are not required to be provided in this application under 37 CFR § 1.98(d).

Pursuant to 37 CFR §1.97, this Information Disclosure Statement is being submitted under the section indicated below.

- 37 CFR §1.97(b).
- 37 CFR §1.97(c). If so, then either:
  - Applicant certifies pursuant to 37 CFR § 1.97(e) that either:
    - each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
    - no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated under 37 CFR § 1.56 (c) more than three months prior to the filing of this Statement.
- OR
- Applicant submits the petition fee of \$180 as set forth in 37 CFR § 1.17(p).
- 37 CFR § 1.97(d). If so, then both:
  - Applicant certifies pursuant to 37 CFR § 1.97(e) that either:
    - each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
    - no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement.
- AND
- Applicant submits the petition fee of \$180 as set forth in 37 CFR § 1.17(p).

Consideration of the listed references and favorable action are respectfully solicited.

Respectfully submitted,

David L. Adler, et al.

Dated: September 26, 2002

By: J. K. O.

James K. Okamoto

Attorney For Applicant(s)

Reg. No. 40,110

OKAMOTO & BENEDICTO LLP

P.O. Box 641330

San Jose, CA 95164

Tel.: (408) 436-2110

Fax: (408) 436-2114

CERTIFICATE OF MAILING			
I hereby certify that this correspondence, including the enclosures identified herein, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.			
Signature:	<u>J. K. O.</u>		
Typed or Printed Name:	James K. Okamoto	Dated:	Sept. 26, 2002
Express Mail Mailing Number (optional):			